Patent Application Docket No. PC11724H

IN THE UNITED STATES PATENT AND TRADERER OFFICE

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OCT 0 4 2004

In re Application of:

Zheng J. Li, et al.

Group Art Unit:

1623

Serial No.:

10/650,252

August 27, 2003

Filed:

Examiner:

PESELEV, ELLI

CRYSTAL FORMS OF AZITHROMYCIN For:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. \$1.136(a)

Pursuant to the provisions of 37 C.P.R. \$1.136(a), it is requested that the term for response to the Examiner's Action in this application, mailed on April 1, 2004, and having an original period for response of three months. which expired on July 1. 2004, be extended by three month(s), such that it expires on October 1, 2004.

Authorization is hereby provided to charge the amount of \$980 as stated under 37 C.F.R. \$1.17, as well as any additional fees required, or to credit any overpayment to Deposit Account No. 16-1445. Two copies of this paper are enclosed. Respectfully submitted.

Date: 10ctober 2004

Scott Alexander McNeil Attorney for Applicant(s) Reg. No. 37,185

Patent Department, MS 8260-1611 Eastern Point Road Groton, Connecticut 06340 (860) 686-1848

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created doctrine of obviousness-type double patenting, 35 USC 112, second paragraph, USC 102(a) and 35 USC 103(a) of pending Claims 84-93 and 123, as amended, are not proper. Therefore, Applicants respectfully request that these rejections of Claims 84-93 and 123, as amended, be rejections of Claims 84-93 and 123, as amended, be withdrawn. Applicants further request that a notice of allowance be issued for pending Claims 84-93 and 123.

Respectfully Submitted:

nate. 1 October 2004

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